

Forest Team Conference Call Notes - **DRAFT**  
10:00 – Noon (Pacific Time) on Thursday, December 18, 2014

**Attendees:**

Elaine Suriano	Lee Woodruff	David Allnutt
Tony Barber	Steve Klein	Jo Henszey
Janet Parrish	Teena Reichgott	Peter Leinenbach
Rochelle Labiosa	Alan Henning	Jason Gerdes
James Munson	Lynne Hood	Lorraine Edmond
Erik Peterson	Carrie Byron	Helen Rueda
Jenny Wu	Teresa Kubo	

**Note: Action items highlighted in yellow within the text of the notes**

**Status of CZARA Litigation - Henning**

Alan updated the group on where we are on meeting the terms of a settlement agreement that we entered into with Northwest Environmental Advocates (NWEA) over Oregon's Coastal Zone Program. NWEA sued NOAA and EPA in 2009 for what they felt were violations of the Coastal Zone Act Reauthorization Amendments of 1990 (CZARA). CZARA requires certain states to develop and implement coastal nonpoint source pollution control programs and requires EPA and NOAA to withhold a percentage of Clean Water Act (CWA) and Coastal Zone Management Act (CZMA) grant funds from states that fail to submit approvable programs that protect water quality. NWEA filed the lawsuit because EPA and NOAA repeatedly found that Oregon failed to submit a fully approvable coastal nonpoint program but did not disapprove Oregon's program or withhold grant funds. Rather, EPA issued conditional approvals and outlined areas needing improvement. Key areas needing improvement in the area of forestry are 1) legacy roads; 2) buffers on small and medium fish bearing streams; 3) management on steep slopes/unstable areas; and 4) pesticide application buffers on type N streams. A pathway forward initially identified through the settlement agreement process was for the State of Oregon to issue "Implementation Ready" TMDLs that would allow them to pursue protections in addition to what is required under the state forest practices act. That effort stalled in late 2013. As a result, EPA and NOAA issued a proposed disapproval in ~~November~~ **December** of 2013. In response to the proposed disapproval, EPA and NOAA received 84 comment letters representing several hundred individual comments and technical references. ~~Most of~~ **The majority of** the comments are in support of the proposed decision. EPA and NOAA have been working over the past year to analyze and respond to comments, and revise the decision rational document based on comments received. The current agreement with NWEA states that EPA and NOAA will issue a final decision by January 30, 2015. If we disapprove their program, the state will stand to lose a percentage of their 319 and NOAA funding **until the State establishes a fully approvable program every year.**

**Status of ODF rulemaking for small/medium fish bearing streams – Henning**

The Oregon Department of Forestry conducted a multi-year study known as RipStream to consider the effectiveness of Oregon Forest Practices on state and private forest land at protecting small and medium fish bearing streams from temperature impacts. The study found that on private lands there is a 40% probability that the protect cold water (PCW) criterion will be exceeded. ODF has been engaged in a dialogue with the Board of Forestry as well as the EQC about the findings of the RipStream study and

Non Responsive

Response	Percentage
U.S. should take action	95%
U.S. should take action	90%
U.S. should take action	85%
U.S. should take action	80%
U.S. should take action	75%
U.S. should take action	70%
U.S. should take action	65%
U.S. should not take action	35%
U.S. should not take action	30%
U.S. should not take action	25%
U.S. should not take action	20%
U.S. should not take action	15%
U.S. should not take action	10%
U.S. should not take action	5%

Response	Percentage
Yes, the U.S. should take action to reduce greenhouse gas emissions	85%
No, the U.S. should not take action to reduce greenhouse gas emissions	15%

Age Group	Percentage
18-29	85%
30-49	88%
50-69	90%
70+	89%
18-29	85%
30-49	88%

Government	Percentage
Current government	85%
Previous government	15%

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Government	Percentage
Current government	85%
Previous government	15%

Government	Percentage
Current government	85%
Previous government	15%

Government	Percentage
Current government	85%
Previous government	15%

Government	Percentage
Current government	85%
Previous government	15%

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